David M. Ring, State Bar No. 151124 Neil K. Gehlawat, State Bar No. 289388 Peter A. Reagan, State Bar No. 327596 TAYLOR & RING, LLP 3 1230 Rosecrans Avenue, Suite 360 Manhattan Beach, California 90266 4 Telephone: (310) 209-4100 Email: ring@taylorring.com; gehlawat@taylorring.com 5 Alison P. Saros, State Bar No. 185021 6 SAROS LAW, APC 360 N. Pacific Coast Hwy., Suite 1000 El Segundo, CA 90245 7 Telephone: (310) 341-3466 8 Email: alison@saroslaw.com 9 Attorneys for Plaintiffs Mychelle Blandin and minor B.W. 10 11 UNITED STATES DISTRICT COURT 12 CENTRAL DISTRICT OF CALIFORNIA 13 14 MYCHELLE BLANDIN, individually and CASE NO. as successor-in-interest to Mark Winek and 15 **COMPLAINT FOR DAMAGES** Sharon Winek, deceased; B.W., a minor, by 16 and through their guardian ad litem, 1. Fourth Amendment (42 U.S.C. § Mychelle Blandin, individually and as 17 1983) successor-in-interest to Brooke Winek, 18 2. Battery (Wrongful Death and deceased, Survival Action) 19 3. Violation of the Bane Act (Cal. Plaintiffs, 20 Civil Code § 52.1) VS. 4. Negligent Hiring, Supervision, or 2.1 Retention (Wrongful Death and Survival WASHINGTON COUNTY SHERIFF'S 22 Action) OFFICE, a public entity; 23 ESTATE OF AUSTIN LEE EDWARDS, an DEMAND FOR JURY TRIAL 24 estate; and DOES 1-20, inclusive, 25 Defendants. 26 27 /// 28 ///

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Plaintiffs Mychelle Blandin and B.W., for their Complaint against Defendants Washington County Sheriff's Office, the Estate of Austin Lee Edwards, and Does 1-20, inclusive, allege as follows:

INTRODUCTION

- 1. On November 25, 2022, Austin Lee Edwards a 28-year-old Washington County Sheriff's deputy kidnapped 15-year-old R.W. after murdering her mother and grandparents and setting fire to their home in Riverside, California. Edwards gained entry to the home by identifying himself as a law enforcement officer, displaying his law enforcement badge and service weapon, and falsely claiming that he was conducting a law enforcement investigation.
- 2. After committing these murders, Edwards fled the scene in his vehicle with R.W. before becoming surrounded by deputies from the San Bernardino County Sheriff's Department. Edwards killed himself in a shootout with the deputies.
- 3. Edwards should have never been hired by the Washington County Sheriff's Office in the first place. The Sheriff's Office failed to conduct any investigation into his background before hiring him. If they did, they would have learned that in 2016 he was detained for a psychiatric evaluation in connection with cutting himself and threatening to kill his father. As a result, Edwards was held on a temporary detention order and admitted to a treatment facility, which prevented him (under Virginia law) from buying or possessing a firearm until that right was restored by a court.
- 4. Edwards' right to buy or possess a firearm was <u>never</u> restored by a court. Despite this, the Washington County Sheriff's Office shockingly hired him as a deputy and provided him with a service firearm.
- 5. Plaintiffs now seek redress under state and federal law for the Washington County Sheriff's Office's many failures in hiring Edwards, and for the heinous murders he committed on November 25, 2022. Accordingly, this case is in the public interest.

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JURISDICTION AND VENUE

- 6. This Court has original jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1343(a)(3)-(4) because Plaintiffs assert claims arising under the laws of the United States, including 42 U.S.C. § 1983 and the Fourth Amendment of the United States Constitution. The Court has supplemental jurisdiction over Plaintiffs' claims arising under state law pursuant to 28 U.S.C. § 1367(a), because those claims are so related to the federal claims that they form part of the same case or controversy under Article III of the United States Constitution.
- 7. Venue is proper in this Court under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claim occurred in this judicial district.

PARTIES

- 8. Plaintiff Mychelle Blandin is the daughter of Decedents Mark and Sharon Winek. At all relevant times, Plaintiff Mychelle Blandin is and was a resident of the County of Riverside, State of California. She brings these claims individually and as successor-in-interest to Decedents Mark and Sharon Winek. Her successor-in-interest declaration pursuant to CCP section 377.32 is attached hereto as "Exhibit A."
- 9. Plaintiff B.W. is the biological child of Decedent Brooke Winek. Her sister is minor R.W., who was kidnapped by Austin Lee Edwards. A petition to appoint Mychelle Blandin as B.W.'s guardian *ad litem* has been filed concurrently with this Complaint. At all relevant times, Plaintiff B.W. is and was a resident of the County of Riverside, State of California. She brings her claims individually and as successor-in-interest to Decedent Brooke Winek. Her successor-in-interest declaration pursuant to CCP section 377.32 is attached hereto as "Exhibit B."
- 10.At all relevant times, Defendant Washington County Sheriff's Office ("WCSO") is and was a constitutional office directed by the Sheriff responsible for the enforcement of all laws enacted by state and local governments, and for the investigation of felonies and misdemeanors committed in Washington County,

Virginia. Defendant WCSO is and was responsible for ensuring that the actions, omissions, policies, procedures, practices, and customs of its employees and agents complied with the laws of the United States and the State of Virginia. At all relevant times, Defendant WCSO was the employer of Austin Lee Edwards and is vicariously liable for his acts and omissions pursuant to California Government Code § 815.2 and relevant Virginia law.

- 11.Defendant Estate of Austin Lee Edwards is the estate for Decedent Austin Lee Edwards. Since this is an action to establish the decedent's (Austin Lee Edwards) liability for which he was protected by insurance (by Defendant WCSO), Plaintiffs are not required to join Edwards' personal representative or successor in interest pursuant to California Probate Code § 550(a). At all relevant times, Austin Lee Edwards was acting under color of law and within the course and scope of his employment with Defendant WCSO.
- 12.Does 1-20 are individuals and/or entities also responsible for the hiring, retention, and/or supervision of Austin Lee Edwards. The names of Does 1-20 are unknown to Plaintiffs at this time, who therefore sue them by fictitious names. Plaintiffs will amend their Complaint to show the true names and capacities of Does 1-20 when they have been ascertained.
- 13.At all relevant times, each and every defendant was the agent of each and every other defendant and had the legal duty to oversee the hiring, conduct and employment of each and every defendant.
- 14.On May 24, 2023, Plaintiffs filed their Notice of Claim pursuant to Code of Virginia § 15.2-209.

FACTS COMMON TO ALL CLAIMS FOR RELIEF

- Edwards is hired by Defendant WCSO after he resigns his position with the Virginia State Police.
 - 15. Austin Lee Edwards first became a law enforcement officer in January 2022, when he was hired by the Virginia State Police as a state trooper.

- 16.Edwards remained employed with the Virginia State Police until he resigned on October 28, 2022.
- 17. After resigning his employment with the Virginia State Police, Edwards applied for a position as a deputy with the Washington County Sheriff's Office in November 2022. The Sheriff's Office hired him in November 2022.
- 18. The Sheriff's Office did not conduct an adequate investigation into Edwards' background before hiring him.
- 19.If the Sheriff's Office had investigated Edwards' background, they would have learned that he was detained for a psychiatric evaluation in February 2016 after threatening to kill himself and his father.
- 20.On February 8, 2016, local police and emergency medical technicians took Edwards into custody at a local hospital, where he was detained under an emergency custody order.
- 21.A local judge then approved a temporary detention order for Edwards and ordered his transfer to a local psychiatric facility.
- 22. During his psychiatric stay, another judge barred Edwards from purchasing, possessing or transporting firearms. Edwards was advised that his gun rights had been revoked unless restored by a court.
- 23. The treatment order detailing the loss of Edwards' gun rights was sent to the Central Criminal Records Exchange by the clerk for the Bristol General District Court.
- 24.Under Virginia law, any person who is held on a temporary detention order and is subsequently admitted to a treatment facility is prohibited from buying or possessing a firearm until that right is restored by a court.
- 25. Edwards never petitioned a court to restore his right to buy or possess a firearm.
- 26.As of the time he applied for a position with the Sheriff's Office, his right to buy or possess a firearm had not been restored by a court. As such, it would have been unlawful for him to own or possess a firearm under Virginia law.

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27. Despite this, the Sheriff's Office hired Edwards and provided him with a service weapon.

Edwards "catfishes" R.W., a minor, by posing as a 17-year-old boy.

- 28. Edwards created a fake online profile for himself as a 17-year-old boy.
- 29. He used this profile to "catfish" R.W., leading her to believe that she was exchanging messages with a boy similar in age to herself.
- 30.Edwards sent romantic messages to R.W. with this fake profile and learned personal information about R.W.
- 31. Edwards had also "catfished" another young woman living in the San Diego area. Edwards gains entry into the Winek home by claiming that he was conducting a law enforcement investigation.
 - 32. Edwards traveled across the country from Virginia to R.W.'s Riverside home at 11261 Price Court on November 25, 2022.
 - 33.R.W. resided at this address with her mother, Brooke, and her grandparents, Mark and Sharon Winek (who owned the home).
 - 34. When Edwards arrived at the home, only Mark and Sharon Winek were home. Brooke and her daughter, R.W., were not at the home.
 - 35. Edwards entered the home by falsely claiming that he was a law enforcement officer conducting an investigation. He showed Mark and Sharon his law enforcement badge and service weapon.
 - 36. Edwards instructed Sharon to call Brooke. Once Brooke answered the phone, Sharon told Brooke that there was a detective at the home who was there to ask questions about a prior incident involving R.W. Sharon told Brooke that the detective wanted Brooke and R.W. to come to the home immediately.
 - 37. Edwards then instructed Sharon to call Mychelle, Brooke's sister. Sharon called Mychelle and told her (at Edwards' direction) to remind Brooke that she was to leave all cell phones in the car and come inside the home first while leaving R.W. in the car, since he would be questioning the two of them separately.

- 38. While Sharon was on the phone with Mychelle, Edwards took the phone from Sharon and told Mychelle that he was a law enforcement detective. He told Mychelle that her mother (Sharon) was nervous but that he was trying to reassure her.
- 39.Once Brooke arrived, pursuant to Edwards' instructions, she left R.W. and all cell phones in the car and entered the home.

Edwards murders R.W.'s family, sets their home on fire, and kidnaps R.W.

- 40. After some time passed while R.W. was waiting in the car, she finally decided to get out of the car and enter the home.
- 41. Upon entry, R.W. discovered that Edwards had murdered her mother by slitting her throat. Edwards had also attempted to murder her grandparents by asphyxiation. Her grandparents were both hogtied with bags over their heads, but at least one of them was still moving when R.W. entered the home.
- 42.Edwards then set the house on fire and kidnapped R.W. at gunpoint with his service weapon.
- 43. Edwards fled the scene with R.W. in his vehicle.
- 44. Deputies from the San Bernardino County Sheriff's Department eventually surrounded Edwards.
- 45. Edwards killed himself in a shootout with the deputies. R.W. survived.

FIRST CLAIM FOR RELIEF

Fourth Amendment (42 U.S.C. § 1983)

(Against Defendant Estate of Austin Lee Edwards and Does 1-20)

- 46. Plaintiffs repeat and re-allege each and every allegation in the above paragraphs of this Complaint with the same force and effect as if fully set forth herein.
- 47. Austin Lee Edwards used excessive and unreasonable force against Mark Winek, Sharon Winek, and Brooke Winek, when he murdered them as described above. His conduct deprived Mark Winek, Sharon Winek, and Brooke Winek of their rights to be secure in their persons against unreasonable searches and seizures as

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- guaranteed under the Fourth Amendment and applied to state actors by the Fourteenth Amendment.
- 48.As a result of the foregoing, Decedents Mark Winek, Sharon Winek, and Brooke Winek all lost their lives. Up until the time of their deaths, they experienced physical pain and emotional distress.
- 49.Edwards killed himself on the same day that he carried out the murders of Mark Winek, Sharon Winek, and Brooke Winek. As such, this claim is brought against his Estate.
- 50.Plaintiffs bring this claim in their representative capacities and seek survival damages and loss of life damages. Plaintiffs also seek attorneys' fees.

SECOND CLAIM FOR RELIEF

Battery – Wrongful Death and Survival Action

(Against Defendant Washington County Sheriff's Office and Does 1-20)

- 51. Plaintiffs repeat and re-allege each and every allegation in the above paragraphs of this Complaint with the same force and effect as if fully set forth herein.
- 52.Edwards, while in the course and scope of his employment with Defendant WCSO, used unreasonable and excessive force against Decedents Mark Winek, Sharon Winek, and Brooke Winek. As a result, these Decedents experienced pain and suffering and ultimately died.
- 53.Defendant WCSO is vicariously liable for the wrongful acts of Edwards pursuant to section 815.2(a) of the California Government Code and relevant Virginia law.
- 54. Plaintiffs bring this claim in their individual and representative capacities and seek both survival damages and wrongful death damages.

THIRD CLAIM FOR RELIEF

Violation of the Bane Act (Cal. Civil Code § 52.1)

(Against Defendant Washington County Sheriff's Office and Does 1-20)

55. Plaintiffs repeat and re-allege each and every allegation in the above paragraphs of this Complaint with the same force and effect as if fully set forth herein.

- 56.Edwards, while acting in the course and scope of his employment with Defendant WCSO, intentionally committed acts of violence against Decedents Mark Winek, Sharon Winek, and Brooke Winek, including by using unreasonable and excessive force.
- 57. When Edwards murdered Decedents Mark Winek, Sharon Winek, and Brooke Winek, he intentionally interfered with their civil rights, including without limitation their right to be free from unreasonable seizures, and to life, liberty, and property.
- 58.Edwards successfully interfered with the above civil rights of Decedents Mark Winek, Sharon Winek, and Brooke Winek.
- 59.Edwards' conduct caused the death of Decedents Mark Winek, Sharon Winek, and Brooke Winek.
- 60.Defendant WCSO is vicariously liable for the wrongful acts of Edwards pursuant to section 815.2(a) of the California Government Code.
- 61. Plaintiffs bring this claim in their representative capacities and seek survival damages. Plaintiffs also seek attorneys' fees.

FOURTH CLAIM FOR RELIEF

- Negligent Hiring, Supervision, or Retention Wrongful Death and Survival Action (Against Defendant Washington County Sheriff's Office and Does 1-20)
 - 62. Plaintiffs repeat and re-allege each and every allegation in the above paragraphs of this Complaint with the same force and effect as if fully set forth herein.
 - 63.Defendant WCSO hired Austin Lee Edwards as a sheriff's deputy in November 2022.
 - 64. Edwards was unfit to be a sheriff's deputy, given his mental health background.
 - 65. Specifically, in February 2016, Edwards was detained for a psychiatric evaluation in connection with cutting himself and threatening to kill his father. As a result, he was held on a temporary detention order and admitted to a treatment facility,

which prevented him (under Virginia law) from buying or possessing a firearm until that right was restored by a court.

66.Defendant WCSO should have known about Edwards' above mental health

history if it conducted an adequate investigation into his background prior to

- 67.Defendant WCSO's failure to conduct an adequate investigation into Edwards before hiring him resulted in Edwards becoming a WCSO deputy with access to a service firearm.
- 68.Defendant WCSO's negligence in hiring, supervising, and/or retaining Edwards was a substantial factor in Edwards carrying out the murders of Decedents Mark Winek, Sharon Winek, and Brooke Winek.
- 69. As described above, Edwards used his law enforcement credentials to gain access to the Winek household, carry out the murders, and kidnap R.W.
- 70.As a result of Defendant WCSO's negligence in hiring, supervising, and/or retaining Edwards, Plaintiffs lost their loved ones and suffered harm.
- 71.Plaintiffs bring this claim in their individual and representative capacities and seek both survival damages and wrongful death damages.

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hiring him.

PRAYER FOR RELIEF 1 WHEREFORE, Plaintiffs request entry of judgment in their favor and against 2 Defendants as follows: 3 A. For wrongful death damages, in an amount to be proven at trial; 4 B. For survival damages, including pre-death pain and suffering damages, in an 5 amount to be proven at trial; 6 C. For loss of life damages, in an amount to be proven at trial; 7 D. For statutory damages pursuant to Cal. Civil Code § 52.1, in an amount to be 8 proven at trial; 9 E. For interest; 10 F. For reasonable costs of this suit and attorneys' fees; and 11 G. For such further other relief as the Court may deem just, proper, and appropriate. 12 13 Dated: November 16, 2023 **TAYLOR & RING** 14 15 By: /s/ Neil K. Gehlawat 16 David M. Ring Neil K. Gehlawat 17 Attorneys for Plaintiffs 18 Dated: November 16, 2023 **SAROS LAW, APC** 19 20 21 By: /s/ Alison P. Saros Alison P. Saros 22 Attorneys for Plaintiff 23 24 25 26 27 28

DEMAND FOR JURY TRIAL Plaintiffs hereby demand a trial by jury. Dated: November 16, 2023 **TAYLOR & RING** By: /s/ Neil K. Gehlawat David M. Ring Neil K. Gehlawat Attorneys for Plaintiffs Dated: November 16, 2023 **SAROS LAW, APC** By: /s/ Alison P. Saros Alison P. Saros Attorneys for Plaintiff

EXHIBIT A

DECLARATION OF MYCHELLE BLANDIN

DECLARATION OF MYCHELLE BLANDIN

I, Mychelle Blandin, declare:

- 1. I am the biological daughter of Decedents Mark Winek and Sharon Winek.
- 2. Mark Winek passed away on November 25, 2022 in Riverside, California.
- 3. Sharon Winek passed away on November 25, 2022 in Riverside, California.
- 4. No proceeding is now pending in California for administration of the estate of Mark Winek.
- 5. No proceeding is now pending in California for administration of the estate of Sharon Winek.
- 6. I am the successor-in-interest to Mark Winek and Sharon Winek.
- 7. No other person has a superior right to commence the action or proceeding or to be substituted for the Decedents in the pending action or proceeding.
- 8. A certified copy of the Mark Winek's death certificate is attached hereto as "Exhibit 1."
- 9. A certified copy of the Sharon Winek's death certificate is attached hereto as "Exhibit 2."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on November _____, 2023, in Riverside, California.

Mychelle Blandin

EXHIBIT 1

CERTIFICATION OF VITAL RECORD COUNTY OF RIVERSIDE RIVERSIDE, CALIFORNIA 3202233018424 CERTIFICATE OF DEATH 3052022283475 STATE FILE NUMBER JAMES WINEK MARK 09/22/1953 11/25/2022 1124 FND X YES NO UNK MARRIED 569-74-3106 WI on back) 16. DECEDENT'S RACE CAUCASIAN HS GRADUATE YES **EDUCATION** HIGH SCHOOL COACH 11261 PRICE CT 25. STATE/FOREIGN COUN 33 CA RIVERSIDE 92503 RIVERSIDE 8571 ROSEMARY DR, RIVERSIDE, CA 92508 MYCHELLE BLANDIN, DAUGHTER 28. NAME OF SURVIV HOFTSTETTER SHARON ANNE 34. BIRTH STATE 31. NAME OF FAT WI WINEK JOSEPH JAMES 38. B/F 35. NAME OF MO WI MONGOVEN BERYL ELIZABETH 40. PLACE OF FINAL DISPOSITION RIVERSIDE NATIONAL CEMETERY 22495 VAN BUREN BLVD, RIVERSIDE, CA 92518 12/09/2022 43, LICENSE NUMBER NOT EMBALMED CREMATE/BURIAL 47. DATE m ARLINGTON MORTUARY GEOFFREY LEUNG, M.D., ED. MED. 12/09/2022 FD1033 Decedent's Home RESIDENCE RIVERSIDE 11261 PRICE CT RIVERSIDE X YES A PENDING 2022-10105 (BT) X NO X YES NONE 13A DECEDENT PREGNANT IN LAST YEARS YES X NO LINK X Pending Investigation NADINE TOWNSEND, DEP CORONER 12/05/2022 NADINE TOWNSEND CENSUS TRAC COLUMN COLUMN CONTRACTOR DE LA PRINCIPA DE MARCONA DOS COMOS DE LA PRINCIPA DEL PRINCIPA DE LA PRINCIPA DEL PRINCIPA DE LA PRINCIPA DEL PRINCIPA DEL PRINCIPA DE LA PRINCIPA DE LA PRINCIPA DEL PRINCIPA D CERTIFIED COPY OF VITAL RECORD STATE OF CALIFORNIA COUNTY OF RIVERSIDE \$ This is a true and exact reproduction of the document officially registered and placed on file by the Riverside University Health System, Department of Public Health. REGISTRAR *002261689* DATE ISSUED Nov 15,2023 1/2 This copy is not valid unless prepared on an engraved border, displaying the date, seal, and sign

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

CERTIFICATION OF VITAL RECORD COUNTY OF RIVERSIDE RIVERSIDE, CALIFORNIA PHYSICIAN/CORONER'S AMENDMENT 3202233018424 NO ERASURES, WHITEOUTS, PHOTOCOPIES, OR ALTERATIONS 3052022283475 LOCAL REGISTRATION NUMBER STATE FILE NUMBER □ DEATH □ FETAL DEATH 1.1 ☐ BIRTH TYPE OR PRINT CLEARLY IN BLACK INK ONLY - THIS AMENDMENT BECOMES AN ACTUAL PART OF THE OFFICIAL RECORD INFORMATION TO LOCATE RECORD PART I 2. SEX 1C LAST A. NAME-FIRST M WINEK INFORMATION AS IT APPEARS **JAMES** MARK 5. COUNTY OF EVENT 4. CITY OF EVENT 3. DATE OF EVENT-MM/DD/CCYY ON ORIGINAL RECORD RIVERSIDE RIVERSIDE 11/25/2022 STATEMENT OF CORRECTIONS PART II 8. INFORMATION AS IT SHOULD APPEAR 7, INFORMATION AS IT APPEARS ON ORIGINAL RECORD ASPHYXIA DUE TO OCCLUSION OF AIRWAY PENDING 107A MINUTES 107AT HOMICIDE PENDING INVESTIGATION 119 LIST ONE ITEM PER LINE N 120 11/25/2022 121 UNK 122 HOME 123 VICTIM OF HOMICIDAL VIOLENCE 124 11261 PRICE CT, RIVERSIDE, CA 92503 125 I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. 11. TYPED OR PRINTED NAME AND TITLE/DEGREE OF CERTIFIER 10. DATE SIGNED-MM/DD/CCYY DECLARATION OF CERTIFYING AMAWRI VASQUEZ, DEP CORONER 9. SIGNATURE OF CERTIFYING PHYSICIAN OR CORONER MAWRI VASQUEZ 10/27/2023 92570-2478 12 ADDRESS-STREET and NUMBER CORONER CA PERRIS 800 SOUTH REDLANDS AVE 17. DATE ACCEPTED FOR REGISTRATION-MM/DD/CCYY 16. OFFICE OF VITAL RECORDS OR LOCAL REGISTRAR STATE/LOCAL 10/30/2023 CDPH-VR FORM VS 24Ae (REV. 1/08) USE ONLY STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, OFFICE OF VITAL RECORDS tana, na ma mi hiridh ki fizi di dia dia ma ma ma CERTIFIED COPY OF VITAL RECORD STATE OF CALIFORNIA COUNTY OF RIVERSIDE \$ This is a true and exact reproduction of the document officially registered and placed on file by the Riverside University Health System. Department of Public Health. REGISTRAR 02261690* DATE ISSUED Nov 15,2023 This copy is not valid unless prepared on an engraved border, displaying the date, seal, and signature of the Registrar ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

EXHIBIT 2

COUNTY OF RIVERSIDE RIVERSIDE, CALIFORNIA CERTIFICATE OF DEATH 3052022283788 3202233018430 STATE FILE NUMBER LOCAL REGISTRATION NUMBER 3. LAST (Family WINEK ANNE SHARON 65 05/07/1957 SHARIE ANNE WINEK 569-74-3182 YES X NO UNK WIDOWED 11/25/2022 1125 FND X NO CAUCASIAN HS GRADUATE BUSINESS ACCOUNTING CLERK 30 11261 PRICE CT RIVERSIDE RIVERSIDE 92503 CA 27, INFORMANT'S MAILING ADDRESS (Street and number; or rural route number; city or tow 8571 ROSEMARY DR, RIVERSIDE, CA 92508 MYCHELLE BLANDIN, DAUGHTER 30. LAST (BIRTH NAME) HOFSTETTER ОН HAROLD SE MIDDLE 38. BIRTH STAT ANNE MCPEEK OH KATHLEEN RES OF MYCHELLE BLANDIN 8571 ROSEMARY DR, RIVERSIDE, CA 92508 12/09/2022 CREMATE/RESIDENCE NOT EMBALMED ARLINGTON MORTUARY GEOFFREY LEUNG, M.D., ED. MED 12/09/2022 FD1033 OUTSIDE OF OWN RESIDENCE IP ERVOP DO 11261 PRICE CT RIVERSIDE RIVERSIDE 107. CAUSE OF DEATH X YES ATE CAUSE (A) PENDING 2022-10107 X X YES CAUSE OF X YES

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CERTIFIED COPY OF VITAL RECORD

STATE OF CALIFORNIA COUNTY OF RIVERSIDE SS

This is a true and exact reproduction of the document officially registered and placed on file by the Riverside University Health System.

Department of Public Health.

DATE ISSUED Nov 15,2023

This copy is not valid unless prepared on an engraved border, displaying the date, seal, and signature of the Registration

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



COUNTY OF RIVERSIDE RIVERSIDE, CALIFORNIA PHYSICIAN/CORONER'S AMENDMENT 3202233018430 3052022283788 NO ERASURES, WHITEOUTS, PHOTOCOPIES, LOCAL REGISTRATION NUMBER STATE FILE NUMBER OR ALTERATIONS ☐ BIRTH ☒ DEATH ☐ FETAL DEATH TYPE OR PRINT CLEARLY IN BLACK INK ONLY - THIS AMENDMENT BECOMES AN ACTUAL PART OF THE OFFICIAL RECORD PART I INFORMATION TO LOCATE RECORD 2. SEX 1C. LAST 1B. MIDDLE INFORMATION AS IT APPEARS ANNE WINEK SHARON 5. COUNTY OF EVENT ON ORIGINAL RECORD 3. DATE OF EVENT-MM/DD/CCYY 4 CITY OF EVENT RIVERSIDE RIVERSIDE 11/25/2022 PART II STATEMENT OF CORRECTIONS INFORMATION AS IT SHOULD APPEAR 7. INFORMATION AS IT APPEARS ON ORIGINAL RECORD 6. CERTIFICATE NUMBER RESIDENCE 101 OUTSIDE OF OWN RESIDENCE DECEDENT'S HOME OTHER 103 ASPHYXIA DUE TO OCCLUSION OF AIRWAY PENDING 107A LIST ONE ITEM PER LINE MINUTES 107A7 PENDING INVESTIGATION HOMICIDE 119 N 120 11/25/2022 121 UNK 122 HOME 123 VICTIM OF HOMICIDAL VIOLENCE 124 11261 PRICE CT, RIVERSIDE, CA 92503 125 I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF 11. TYPED OR PRINTED NAME AND TITLE/DEGREE OF CERTIFIER 10. DATE SIGNED-MM/DD/CCYY DECLARATION 9. SIGNATURE OF CERTIFYING PHYSICIAN OR CORONER AMAWRI VASQUEZ, DEP CORONER AMAWRI VASQUEZ 10/27/2023 500 CERTIFYING PHYSICIAN OR 14 STATE 92570-2478 CORONER 12. ADDRESS—STREET and NUMBER CA PERRIS 800 SOUTH REDLANDS AVE 17. DATE ACCEPTED FOR REGISTRATION-MM/DD/CCYY 16. OFFICE OF VITAL RECORDS OR LOCAL REGISTRAR STATE/LOCAL 10/30/2023 CDPH-VR REGISTRAR USE ONLY FORM VS 24Ae (REV. 1/08) STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, OFFICE OF VITAL RECORDS TOTAL BOX TOTAL BUY THE TANK THE TANK THE TANK THE TANK THE TANK CERTIFIED COPY OF VITAL RECORD STATE OF CALIFORNIA COUNTY OF RIVERSIDE } SS This is a true and exact reproduction of the document officially registered and placed on file by the Riverside University Health System. Refug. 4. 1688* REGISTRAR 26 VITAL RECORDS Dr. Geoffrey Leung, M.D., Ed.M., Cour RIVERSIDE COUNTY, CALIFORNIA DATE ISSUED Nov 15,2023 This copy is not valid unless prepared on an engraved border, displaying the date, seal, and signature of the Registrar ALTERATION OR ERASURE VOIDS THIS CERTIFICATE/

EXHIBIT B

DECLARATION OF MYCHELLE BLANDING ON BEHALF OF MINOR B.W.

Case 5:23-cv-02344-SSS-SP Document 1 Filed 11/16/23 Page 23 of 27 Page ID #:23

DocuSign Envelope ID: 30D29AC2-C4CF-4FDD-A66B-160DD46C178B

DECLARATION OF MYCHELLE BLANDIN ON BEHALF OF MINOR B.W. I, Mychelle Blandin, declare: I am the maternal aunt and legal guardian for minor B.W., who is the biological daughter of Decedent Brooke Winek. Brooke Winek passed away on November 25, 2022 in Riverside, California. No proceeding is now pending in California for administration of the estate of Brooke Winek. B.W. is a successor-in-interest to Brooke Winek. No other person has a superior right to commence the action or proceeding or to be substituted for the Decedent in the pending action or proceeding.

"Exhibit 3."

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

6. A certified copy of the Brooke Winek's death certificate is attached hereto as

Executed on November 14, 2023, in Riverside, California.

Mychelle Blandin, on behalf of minor B.W.

EXHIBIT 3

STAVED DE CATALOGO RIOLA

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

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| _ | STATE FILE NUMBER 1. NAME OF DECEDENT- FIRST (Given) | - Valley de | 10.0 | USE BLACK INK OF | STATE OF CALIF NLY / NO ERASURES, VS-11 (REV 3 | WHITEOUTS OR (06) | | | LOGAL | REGISTRATIO | ON NUMBE | R | |
| | BROOKE | | | LIZABET | Н | | WI | NEK | | | | | |
| | AKA, ALSO KNOWN AS - Include full AKA | (FIRST, MIDDLE, L | AST) | | | 4. DATE OF 09/21/ | 1984 | S. AGE Yra. | IF UNDER O | NE YEAR Deys | FUNDER 2 | HOUPS Minutes | F. SEX |
| | 9. BIRTH STATE/FOREIGN COUNTRY CA | 602-05-4 | | YES | | UNK [| DIVORCE | | 11/25 | 72022 | | | 7 FN |
| | SOME COLLEGE | YES PECEDENT H | | | | X NO C | AUCASI | | | | | | |
| | 17. USUAL OCCUPATION - Type of work for most of Me. DO NOT USE RETIRED 18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, read construction, en HOMEMAKER OWN HOME | | | | | etion, employ | employment agency, etc.) 19, YEARS IN OC | | | OCCUPA | | | |
| | 20. DECEDENT'S RESIDENCE (Street and number, or location) 11261 PRICE CT | | | | | | | | | | | | |
| 1 3 | 21. CITY RIVERSIDE | | RIVERS | | | 92503 | | 24. YEARS IN COU | 25, 57 CA | TATE/FOREIGN | COUNTR | | |
| 51 | 26. INFORMANT'S NAME, RELATIONSH MYCHELLE BLANDIN | | | () | 8571 I | ROSEN | ARY DE | RIVERSI | DE, CA | 92508 | state and | Joi . | |
| _ | 28. NAME OF SURVIVING SPOUSE/SRD | P'-FIRST | 29. M | DDLE | A III A | - | 30. LAST (BIRT | TH NAME) | | | | T | |
| INFORMATION | 31. NAME OF FATHER/PARENT-FIRST MARK | | - M | JAMES | | | S3. LAST WINEK | | | | | 34. BIRTH STATE WI | |
| MANER | 35. NAME OF MOTHER/PARENT-FIRST SHARIE | | The second second | 36, MIDDLE ANNE | | | 37. LAST (BIRTH NAME) HOFSTETTER | | | | | за. ВІЯТН ОН | STATE |
| 5 | 39. DISPOSITION DATE mm/dd/ccyy | 40. PLACE OF FIN | TRAL AV | OLIVEWO | OOD MEN | ORIAL 92506 | PARK | 1 | 1 | | | | |
| REGISTRAN | 41. TYPE OF DISPOSITIONIS) CREMATE/BURIAL | | 42. SIGNATURE OF EMBALMER NOT EMBALMED | | | | | 4 | 43. LICENSE NUMBER | | | MBER | |
| 1 | 44. NAME OF FUNERAL ESTABLISHMENT ARLINGTON MORTUARY | | | 45 LICE | b. LICENSE NUMBER 46. SIGNATURE OF LOCAL REGISTRAR D1033 • GEOFFREY LEUNG, M.D., E | | | | ., ED. N | ED. M 47. DATE mm/od/copy 12/06/2022 | | | |
| 1 | TOOL PLACE OF DEATH RESIDENCE 102 IF HOSPITAL SPECIFY ONE 103 IF OTHER 103 IF OTHER 104 IF OTHER 105 IF OTHER 105 IF OTHER 106 IF OTHER 107 IF OTHER 108 IF OTHER 109 IF OTHER 100 IF OTHE | | | | | | F OTHER TH | Nursing Home/LT | SPECIFY O | ONE Decedent's Home | | | |
| DEATH | 104. COUNTY 105. PACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) 11261 PRICE CT | | | | | | RIVERSIDE | | | | | | |
| | 107. CAUSE OF DEATH Enter the chain of events — diseases, injuries, or complications — that directly caused death, DO NOT enter terminal events such as caddle arrest, respiratory errest, or nethroules forflation whould showing the elicity. On NOT ABBREVATE. IMMEDIATE CAUSE (A) PENDING | | | | | / To | e Interval Between Onset and Death T) | 108. DEATH REPORTED TO CORO. X YES | | | | | |
| | (final disease or condition resulting in dealth) (g) | | | | | ø | ŋ | 109. BIO | | CRMED? | | | |
| | Sequentally, list conditions, if any, leading to cause (G) on Line & Enter UNDERLYING CAUSE (Cleases or | | | | | | (0 | n | _ | TOPSY PER YES | RFORMET | | |
| | UNIVERSITY AND ADMINISTRATION OF THE PROPERTY | | | 9 | 1.4 | | | .0 | n | | YES YES | ANING CAU | |
| | 112. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 167 | | | | | | | | | | | | |
| | NONE 113. WAS OPERATION PERFORMED FO NO | R ANY CONDITION | IN ITEM 107 OR 1 | 127 (If yes, list typ | pe of operation and | date.] | | | | | - | X NO | |
| ERTIFICATION | 114, I CERTIFY THAT TO THE BEST OF MY KIN AT THE HOUR, DATE, AND PLACE STATED FRO | OWLEDGE DEATH OCC OM THE CAUSES STATE | URRED 115, SIG | | TLE OF CERTIFIEF | | | | 116. | LICENSE NUM | ABER 117 | , DATE IN | em/dd/00 |
| CERTIFICATION | Decedent Attended Since Decedent Last Sean Alive P (A) min/dd/ccyy (B) min/dd/ccyy 118. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE (A) min/dd/ccyy (B) min/dd/ccyy 121. INJURY DATE min/dd/ccyy 122. HOLR (Id No. | | | | | | | | | | | | |
| CE | 119, I CERTIFY THAT IN MY OPINION DEATH | OCCURRED AT THE HI | OUR, DATE, AND PU | CE STATED FROM T | THE CAUSES STATES | Could not be determined | 120. INJU YES | RED AT WORK? | UNK 121. | INJURY DATE | mm/dd/boj | y 122, HC | JUR (24.) |
| ONLY | MANNER OF DEATH Natural 123. PLACE OF INJURY (e.g., home, co | | | 21 | | | 14/2 | | | | | | |
| 3 000 0 | 124. DESCRIBE HOW PLURY OCCURRED (Events which resulted in njury) | | | | | | | | | | | | |
| SOUTH S OSE | 125. LOCATION OF BUURY (Street and number, or location, and city, and sign) 126. LOCATION OF BUURY (Street and number, or location, and city, and sign) 127. DATE: mm/dd/copy 128. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER | | | | | | | | | | | | |
| | 126. SIGNATURE OF CORONER / DEPI | ND | | E | 127. DATE ME 12/06/20 | | NADIN | E TOWNSE | ND, D | EP COR | ONER | CEN | NSUS TR |
| TA | TE A B | С | D | E | 000000 | | | jummunu jummunu | FA | AVITA | | - | |
| | | | | | | | | | | | | | |

STATE OF CALIFORNIA COUNTY OF RIVERSIDE } ss

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Supplyment of Public Health.

DATE ISSUED Nov 15,2023

1/2 Dr

Geoffrey Leung, M.D., Ed.M., County Health Office

VERSIDE COUNTY, CALIFORNIA

TE ISSUED This copy is not valid unless prepared on an engraved border, displaying the date, seal, and signature of the Registrar

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

PHYSICIAN/CORONER'S AMENDMENT

NO ERASURES, WHITEOUTS, PHOTOCOPIES, OR ALTERATIONS

3202233018218

LOCAL REGISTRATION NUMBER

☐ BIRTH ☒ DEATH ☐ FETAL DEATH

TYPE OR PRINT CLEARLY IN BLACK INK ONLY - THIS AMENDMENT BECOMES AN ACTUAL PART OF THE OFFICIAL RECORD

| PARTI | INFORMATION TO LOCA | TE RECORD | | |
|------------------------------|-----------------------------|--------------------------------|------------------------------|-------|
| INFORMATION AS IT APPEARS | 1A. NAME—FIRST BROOKE | 18. MIDDLE ELIZABETH | 1C. LAST WINEK | 2 SEX |
| ON ORIGINAL RECORD | 3. DATE OF EVENT—MM/DD/CCYY | 4. CITY OF EVENT. RIVERSIDE | s. COUNTY OF EV RIVERSIDE | |

STATEMENT OF CORRECTIONS PART II

3052022278615

STATE FILE NUMBER

| 17 | TIFICATE 7, INFORMATION AS IT APPEARS ON ORIGINAL F | |
|--------|--|--|
| - | MBER | STAB WOUND OF THE CERVICAL SPINAL CORD |
| 107A | PENDING | RAPID |
| 107A | T - | |
| 119 | PENDING INVESTIGATION | HOMICIDE |
| NE | | (N) |
| ER 120 | | 11/25/2022 |
| 121 | | UNK |
| 122 | | |
| 123 | The second secon | HOME |
| | - I as A | STABBED BY KNOWN ASSAILANT |
| 124 | - 1 2PA 1 | 11261 PRICE CT, RIVERSIDE, CA 92503 |
| 125 | 7.21 May 1 2.27 M | A THEORET AND A STATE OF THE ST |
| 1 | | |

| | MY KNOWLEDGE. | 11. TYPED OR PRINTED NAME AND TITLE/DEGREE OF CERTIFIER | | | | |
|-------------------------------------|---|---|-----------------------------|---|-------------------|--|
| DECLARATION | 9, SIGNATURE OF CERTIFYING PHYSICIAN OR CORONER AMAWRI VASQUEZ | 10. DATE SIGNED—MM/DD/CCY 10/27/2023 | AMAWRI VASQUEZ, DEP CORONER | | | |
| CERTIFYING PHYSICIAN OR | AMAWRI VASQUEZ | | | 14. STATE | | |
| CORONER | 12. ADDRESS—STREET and NUMBER 800 SOUTH REDLANDS AVE | PERRIS | | CA | 92570-2478 | |
| | | | | TE ACCEPTED FOR REGISTRATION—MM/DD/CCYY | | |
| TATE/LOCAL REGISTRAR USE ONLY | 16. OFFICE OF VITAL RECORDS OR LOCAL REGISTRAR CDPH-VR | 5(3) | 10/30/2023 | | FORM VS 24Ae (REV | |

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC HEALTH, OFFICE OF VITAL RECORDS

TO BELLEVI THE TANK THE THE TANK THE TANK THE THE THE TANK THE THE TANK THE

CERTIFIED COPY OF VITAL RECORD

STATE OF CALIFORNIA COUNTY OF RIVERSIDE }

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Department of Public Health.

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DATE ISSUED Nov 15,2023



